

AMENDMENT TRANSMITTAL LETTER (Large Entity)

Applicant(s): DONALD E. MOSING, ET AL

Docket No.
FKI-26Serial No.
09/206,876Filing Date
12/08/98Examiner
W. NeuderGroup Art Unit
3672

Invention: Improved Method and Multi-Purpose Apparatus for Dispensing and Circulating Fluid in Wellbore Casing

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

FILE

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	40	36 =	4	x \$18.00	\$72.00
INDEP. CLAIMS	15	11 =	4	x \$78.00	\$312.00
Multiple Dependent Claims (check if applicable)		<input type="checkbox"/>			\$0.00
				TOTAL ADDITIONAL FEE FOR THIS AMENDMENT	\$384.00

No additional fee is required for amendment.

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A check in the amount of \$384.00 to cover the filing fee is enclosed.

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Any additional filing fees required under 37 C.F.R. 1.16.

Any patent application processing fees under 37 CFR 1.17.

Dated: 07/10/00

Signature

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EXHIBIT

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Invention: **Improved Method and Multi-Purpose Apparatus for Dispensing and Circulating Fluid in Wellbore Casing**

FILE

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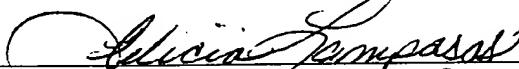
37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

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ATTORNEY DOCKET NO.: FKI-26

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: DONALD E. MOSING, *ET AL.*

SERIAL NO.: 09/206,876

EXAMINER: W. NEUDER

FILED: DECEMBER 08, 1998

ART UNIT: 3672

FOR: *"IMPROVED METHOD AND PURPOSE APPARATUS FOR
DISPENSING AND CIRCULATING FLUID IN WELLBORE CASING"*

**SUPPLEMENTAL RESPONSE TO NOVEMBER 5, 1999 OFFICE ACTION
AND AMENDMENT TO APPLICATION, INCLUDING COPYING OF CLAIMS
FROM U.S. PATENT NO. 5,971,079 FOR PURPOSES OF PROVOKING
INTERFERENCE UNDER 37CFR 1.607 AND MPEP §2307**

ASSISTANT COMMISSIONER
OF PATENTS
Washington, DC 20231

Sir:

Supplemental to the Response which was filed in this application on February 7, 2000,
please further amend the application as follows:

IN THE CLAIMS

Please add the following new claims, which have been copied from U.S. Patent No. 5,971,079, issued on October 26, 1999. These claims are being copied in accordance with the provisions of 37CFR 1.607 and MPEP §2307 for purposes of provoking an interference between this present application and certain claims of U.S. Patent No. 5,971,079.

-- 38. (New) An apparatus for filing or circulating casing, comprising:

a body having a flowpath therethrough, insertable into the casing;

a valve in said body further comprising a valve plug and seat, said body defining an opening;

said valve plug, on application of fluid pressure in said body, is displaced such that said valve plug is moved toward a position where it is substantially out of a fluid flowpath extending through said body and out through said opening; and

said valve plug further comprises a shiftable tube extending therefrom and moving therewith, having a bore therethrough in fluid communication with said flowpath.

39. (New) A casing fill and circulation apparatus, comprising:

a body having a lower end and a flowpath therethrough which terminates at an outlet;

a movable valve member in said body comprising a shifting sleeve having a lower end;

a seal on the body to interact with the inside of casing;

whereupon the casing can be filled by moving said valve member in the body to a point where it is substantially out of the flowpath near the outlet of said body, with said seal out of contact with the casing, and the casing can be circulated by engaging said seal to the casing and pumping fluid through said flowpath in said body;

said body comprises a seat between its lower end and said outlet for engagement with said sleeve to close off said flowpath which extends through said sleeve; and

said sleeve movable to an open position wherein its lower end, which contacts said seat when said flowpath is closed off, is moved past said outlet in said body when actuated to permit flow through said flowpath.

40. (New) A casing fill and circulation apparatus, comprising:

 a body having at least one port and a flowpath therethrough, insertable into the casing;

 a cup seal on the outer periphery of said body which is engageable with the casing when said body is inserted in the casing; and

 a circulation valve mounted to said body, said circulation valve operable by fluid pressure developed against it to selectively access said port.

41. (New) A casing fill and circulation apparatus, comprising:

 a body having at least one port and a flowpath therethrough, insertable into the casing;

 a cup seal on the outer periphery of said body which is engageable with the casing when said body is inserted in the casing; and

 a circulation valve mounted to said body, said circulation valve operable by pressure developed against it to selectively access said port. - -

REMARKS

The present application claims priority back to the filing date of the parent patent in this matter, U.S. Patent No. 5,735,348 which had a filing date of October 4, 1996, and also claims priority from the application which matured as U.S. Patent No. 5,981,673, which had a filing date of May 2, 1997. Fig. 3 of U.S. Patent 5,735,348 is exactly the same as Fig. 3A of the present application, thus providing an entitlement to the Applicants of the entire disclosure related to Fig. 3A all the way back to at least as early as October 4, 1996. Patent No. 5,971,079 was not filed until September 5, 1997. Of interest in this regard, U.S. Patent No. 5,735,348, assigned to the assignee of this present invention, and from which this present application claims priority, was

cited by United States Patent and Trademark Office as a reference against the application which matured into U.S. Patent No. 5,971,079.

Claims 38, 39, and 40 which are being added herein, are exact copies of claims 1, 10 and 19, respectively, of U.S. Patent No. 5,971,079. Newly-added Claim 41 is identical to Claim 40 which is newly-added, with the exception that "fluid pressure" has been changed merely to "pressure".

The requirements of 37CFR 1.607 require the following action by the applicant seeking to have an interference declared:

1. Identifying patent. This is been done as identifying Patent No. 5,971,079.
2. Presenting a proposed count. The proposed count is newly-added Claim 41.
3. Identifying at least one claim in the patent corresponding to the proposed count.

Newly-added Claim 41 substantially corresponds to Claim 19 of U.S. Patent No. 5,971,079.

4. Applying the terms of any application claim.

(i) Identified as corresponding to the count. This requirement is satisfied as follows:

a body (mandrel 19 of Fig. 3A of the application) having at least one port (ports 19C of Fig. 3A) and a flowpath therethrough (flowpath 19A of Fig. 3A), insertable into the casing (casing 32 of Fig. 3A);

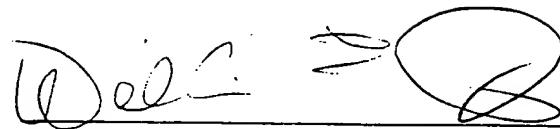
a cup seal (packer cup 30A of Fig. 3A) on the outer periphery of said body (mandrel 19 of Fig. 3A) which is engageable with the casing (casing 32 of Fig. 3A) when said body (mandrel 19) is inserted in the casing (casing 32 of Fig. 3A); and

a circulation valve (sleeve 26 of Fig. 3A) mounted to said body (mandrel 19), said circulation valve (sleeve 26) operable by pressure developed against it to selectively access said port (ports 19C of Fig. 3A). The pressure developed against the circulation valve results from the spring 25 of Fig. 3A creating a bias against the sleeve 26 such that in the fill-up mode, the sliding sleeve 26 covers the mandrel apertures 19C (page 18, lines 12-14 of the Applicant's specification). When it is desired to open the ports 19C, a further downward force is exerted on the tool 46 by lowering the assembly from traveling block 1. This causes spring 25 disposed about the exterior of mandrel 19 to become compressed between top collar 24 and flange portion 26A on the sliding sleeve. The downward force causes the mandrel 19 to move vertically downward with respect to the sliding sleeve 26 thereby exposing the lower end of the mandrel 19 and the apertures 19C formed therethrough (page 23, lines 9-14 of the Applicants' specification).

(ii) Not previously in the application to the disclosure of the application. The newly-added Claim 41 has not previously appeared as a claim.

The Applicants respectfully request that an interference be declared between Claims 38-41 of the present application, and claims 1, 10 and 19, of U.S. Patent No. 5,971,079 and that claim 41 be used as the count in such interference.

Respectfully submitted,



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Please place your receipt stamp
hereby acknowledging receipt of papers
relating to the

utility patent application
S. # 09/206/474 Filed 12-03-98

FKI-007-CFP2
(FKI-26)



① Amendment transmitted with
Supplementary Response to 11-5-99 office action &
transmittal to App. cler. Copying of Claims from
U.S. Pat. # 5,971,079 for Preexisting Difference 37 CFR
1.207; ② CK for \$ 384.00; ③ Cost of Mailing